

NOV. 8. 2005 6:03PM

(3) FISH & RICHARDSON 6175428906

NO. 5030 P. 2

Attorney's Docket No.: 00633-030002 / 00/037D

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

NOV 08, 2005

Applicant : Dimitri Azar
Serial No. : 10/627,943
Filed : July 25, 2003
Title : VISION PROSTHESIS

Art Unit : 3738
Examiner : William H. Matthews

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INTERVIEW SUMMARY

Applicant acknowledges a telephone interview on November 7, 2005 in which were discussed proposed amendments to the claims to place them in condition for allowance.

Applicant and the Examiner agreed to amend the first paragraph of claim 1 as follows:

an intraocular lens [adapted for implantation in an eye of a human patient, the lens] having an index of refraction that varies in response to a focusing stimulus;

and to amend the first paragraph of claim 22 as follows

an intraocular lens having an index of refraction that varies in response to a focusing stimulus;

The Examiner agreed to enter the foregoing amendments by Examiner's amendment.

The amendments were not made to overcome the cited art, but rather to avoid what the Examiner considered to be a functional limitation. Applicant's agreement to amend the claims does not mean that Applicant believes the claims prior to amendment are unpatentable.

CERTIFICATE OF TRANSMISSION BY FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to the Patent and Trademark Office on the date indicated below.

11-8-05 Dimitri Azar Dimitri Azar
Date of Transmission Signature Typed Name of Person Signing Certificate

NOV. 8 2005 6:04PM

(3) FISH & RICHARDSON 6175428906

NO. 5030 P. 3

Applicant : Dimitri Azar
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Page : 2 of 2

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Applicant acknowledges another telephone interview on November 8, 2005 in which was discussed a proposed obviousness-type double-patenting rejection over the parent to this application, namely U.S. Patent No. 6,638,304.

Applicant agreed to file the enclosed terminal disclaimer to preemptively avoid a double-patenting rejection. The filing of the terminal disclaimer is not meant to signify Applicant's acquiescence to the proposition that the claims in the present application are but obvious variations of the claims in the parent. Applicant files the terminal disclaimer only to hasten the issue of a patent based on the present application.

Please debit our deposit account 06-1050 for the fee associated with filing a terminal disclaimer. In doing so, please reference our attorney docket number "00633-030002."

Respectfully submitted,

Date: 11-8-2005



Faustino A. Lichauco
Reg. No. 41,942

Fish & Richardson P.C.
225 Franklin Street
Boston, MA 02110
Telephone: (617) 542-5070
Facsimile: (617) 542-8906
21202992.doc